

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Anastacio Lemus Lopez,

Case No. 17-cv-01179-PAM-TNL

Plaintiff,

vs.

Minnesota Vikings  
Football Club, LLC et al.,

**DECLARATION OF CHRISTIANA M.  
MARTENSON IN SUPPORT OF  
HENNEPIN COUNTY DEFENDANTS'  
MOTION TO AMEND  
SCHEDULING ORDER**

Defendants.

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Christiana M. Martenson hereby declares:

1. I am an attorney in the Civil Division of the Hennepin County Attorney's Office, and I am one of the attorneys representing Defendants Hennepin County, Hennepin County Administrator David J. Hough, Hennepin County Sheriff Richard W. Stanek, and Hennepin County Attorney Michael O. Freeman (the "Hennepin County Defendants") in the above-referenced matter. The following information is based on my personal knowledge.

2. In approximately late November 2017, my office received copies of Plaintiff Anastacio Lopez's First Amended Complaint, along with requests to waive service of the summons and the First Amended Complaint. These requests for waiver of service were dated November 20, 2017. On or about December 15, 2017, the Hennepin County Defendants sent signed service waivers to Lopez.

3. On January 30, 2018, the Hennepin County Defendants served their initial disclosures under Federal Rule of Civil Procedure 26(a)(1).

4. On February 9, 2018, the Hennepin County Defendants filed a Motion to Dismiss all of Lopez's claims against them. (ECF No. 140.) When I called the Court to request a hearing date, May 17, 2018, was the earliest date available.

5. On March 2, 2018, the Hennepin County Defendants responded to interrogatories and document requests from the City of Minneapolis Defendants.

6. On March 26, 2018, the Hennepin County Defendants served interrogatories and document requests on Lopez.

7. On April 9, 2018, the Hennepin County Defendants amended their responses to interrogatories from the City of Minneapolis Defendants and produced additional documents. In this litigation, the Hennepin County Defendants have produced documents including jail and medical records, audio and video files, and photographs.

8. On April 26, 2018, at Lopez's request, the Hennepin County Defendants agreed to extend the deadline for Lopez's responses to the Hennepin County Defendants' discovery requests to May 7, 2018. On May 7, 2018, Lopez filed his responses. (ECF Nos. 155, 156.) Attached as **Exhibit A** is a true and correct copy of Lopez's responses to the Hennepin County Defendants' discovery requests.

9. On May 9, 2018, the Hennepin County Defendants sent a letter to Lopez requesting supplementation of his responses to the Hennepin County Defendants' discovery requests.

10. On May 15, 2018, the Hennepin County Defendants received assurances, through counsel, that Lopez would supplement his responses to the Hennepin County Defendants' discovery requests within ten days, if possible.

11. I understand that Lopez has agreed to be deposed during the week of June 4, 2018. The Hennepin County Defendants intend to participate in the deposition.

12. To date, Lopez has served no discovery on any party or non-party and has neither noticed nor conducted any depositions.

13. The vague, conclusory, and speculative nature of the allegations against the Hennepin County Defendants inhibits the ability of the Hennepin County Defendants to conduct discovery. For example, because Lopez does not specifically allege what injuries he suffered as a result of the Hennepin County Defendants' acts or omissions, the Hennepin County Defendants lack information they need to determine whether they need a medical expert and if so, what medical specialty is most relevant.

14. If the Court denies the Hennepin County Defendants' Motion to Dismiss, the Hennepin County Defendants request additional discovery for the purpose of obtaining information necessary to their defense. In particular, the Hennepin County Defendants anticipate that they will seek discovery related to new facts asserted by Lopez in his response to the Motion to Dismiss and possibly in his deposition and in any amended responses to the Hennepin County Defendants' discovery requests.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 16, 2018

s/ Christiana M. Martenson  
Christiana M. Martenson  
Assistant Hennepin County Attorney